



WEB COPY



W.P.No.9330 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.9330 of 2011

V.Amutha

... Petitioner

Vs.

1.The Presiding Officer
3rd Additional Labour Court,
Chennai.

2.The Management
Reed Relays Electronics India Ltd.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records from first respondent in connection with the award passed in I.D.107/2002 dated 19.03.2010 and quash the same in so far as the petitioner is denied back wages, continuity of service and other consequent benefits.

For Petitioner : M/s.K.Sudalaikannu
For Respondents : R1 – Court
Mr.M.Kosalaraman for R2

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorari calling for the records from first respondent in

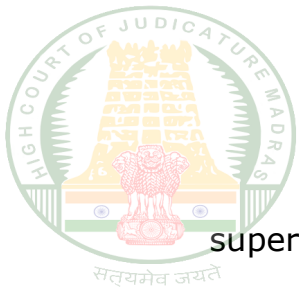


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connection with the award passed in I.D.No.107 of 2002 dated 19.03.2010 and quash the same in so far as the petitioner is denied back wages, continuity of service and other consequent benefits.

2.The case of the petitioner is that the petitioner joined the service of the second respondent as trainee on 12.07.1986 and was confirmed in service as operator in electronic assembly section on 01.01.1989. Whiles, the second respondent terminated the service of the petitioner on 02.02.2001 citing various warning letters on account of her late coming. Aggrieved by the same, the petitioner raised industrial disputes in I.D.No.107 of 2002 before the first respondent and the first respondent passed the impugned order directing the second respondent to reinstate the petitioner without continuity of service, backwages and other consequential benefits. Hence, this writ petition.

3.The learned counsel appearing for the petitioner submitted that though the first respondent directed the second respondent to reinstate the petitioner in service, the second respondent did not reinstate the petitioner citing the pendency of this writ petition and further submitted that now the petitioner reached the age of



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superannuation and hence, this Court may fix appropriate compensation in favour of the petitioner.

4.Per contra, the learned counsel appearing for the second respondent submitted that the first respondent has rightly passed the impugned order directing the second respondent to reinstate the petitioner without continuity of service, backwages and other consequential benefits and the same may not be interfered with.

5.Heard the learned counsel appearing for the petitioner as well as the learned counsel appearing for the second respondent and perused the materials available on record.

6.The facts of the case is not in dispute. The employer and employee relationship is not disputed. Aggrieved by the termination from service, the petitioner raised industrial disputes in I.D.No.107 of 2002 before the first respondent and the first respondent passed the impugned order directing the second respondent to reinstate the petitioner without continuity of service, backwages and other consequential benefits, however, till date the second respondent did not reinstate the petitioner citing the pendency of this writ petition.



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Now the petitioner has reached the age of superannuation and hence, reinstatement is not possible.

7.The petitioner has rendered more than 10 years of service and the impugned award was passed during the year 2010. Hence, this Court is of the opinion that a sum of Rs.10 Lakhs would be a justifiable compensation to the petitioner.

8.The second respondent Management is directed to pay a sum of Rs.10,00,000/- (Rupees Ten Lakhs Only) in full quit to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order, failing which, the second respondent Management would be liable to pay interest at the rate of 7.5% p.a., from the date of writ petition till the date of actual payment.

9.The writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

27.02.2025

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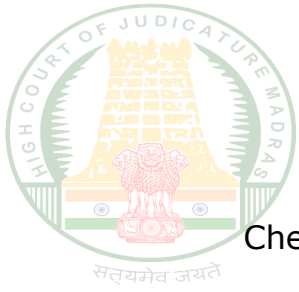
Index: Yes/ No Speaking Order: Yes/ No NCC: Yes/ No

To

1.The Presiding Officer

3rd Additional Labour Court,

4/5



Chennai.

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M.DHANDAPANI,J.
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